



The influential voice of Nebraska's hospitals

November 24, 2015

Mr. Ron Briel
Program Manager
Division of Public Health, Licensure Unit
Nebraska Department of Health & Human Services
Lincoln, NE 68509

Dear Mr. Briel,

The Nebraska Hospital Association (NHA) represents 89 member hospitals across Nebraska and the 41,000 individuals they employ. The NHA supports a mandatory registry for surgical technologists with a minimum competency assessment requirement as approved by the surgical first assistant technical review committee and the Board of Health in September of this year. The NHA opposes licensure of surgical technologists and finds that the registry is an appropriate method of regulation for this occupation.

As presented in the surgical technologist credentialing review application, surgical technologists do not have a scope of practice. Instead, a job description or range of functions determines the occupation's role. Licensure of health care professionals is limited to those individuals with a defined scope of practice. The functions listed in the applicant's application do not require delegation from the surgeon but instead require direction from the surgeon or supervision of a registered nurse. Without a scope of practice, regulation of this occupation through licensure is unnecessary.

While the applicant group argues that licensure is required for a surgeon to provide direction of medical functions, this is not the case. The State of Nebraska, during several surveys, was clear that improper delegation to surgical technologists extends only to closing of the operative site (i.e. suturing) and that the other functions of a surgical technologist were proper under the law. Under *Nebraska v. Howard Paul*, the surgeon can only delegate functions within his or her own scope of practice to a licensed healthcare professional. There are no functions appropriately performed by a surgical technologist that require delegation from a surgeon. Therefore, licensure is not required in order for a surgical technologist to operate in Nebraska.

As surgical technologists do not have a scope of practice and do not require licensure to operate under the proposed range of functions, the NHA does not support needless licensure of this occupation. The NHA supports a mandatory registry for surgical technologists with a minimum competency assessment requirement as approved during the surgical first assistant technical review process.

Thank you for the opportunity to provide input on this important issue.

Sincerely,

A handwritten signature in black ink, reading "Laura Redoutey". The signature is written in a cursive style with a large, stylized "L" and "R".

Laura J. Redoutey, FACHE
President